

# SENATE BILL REPORT

## SB 5005

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As Reported by Senate Committee On:  
Agriculture & Rural Economic Development, February 24, 2009

**Title:** An act relating to naturally raised beef cattle.

**Brief Description:** Creating a program to certify and market certain cattle from Washington as either "natural beef cattle" or "natural grass-fed beef cattle."

**Sponsors:** Senators Jacobsen and Swecker.

**Brief History:**

**Committee Activity:** Agriculture & Rural Economic Development: 1/19/09, 2/24/09  
[DPS].

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### SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 5005 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hatfield, Chair; Ranker, Vice Chair; Schoesler, Ranking Minority Member; Becker, Haugen, Jacobsen, Morton and Shin.

**Staff:** Sam Thompson (786-7413)

**Background:** The beef cattle industry has experienced increased consumer demand for specialty products, including beef from cattle that have not been given antibiotics or hormones and cattle that have been raised on grass or other forage rather than grain or other feed. In response, the U.S. Department of Agriculture has adopted a voluntary standard for marketing of grass (forage) fed livestock, which prohibits grain feeding. Some states have adopted marketing standards for "natural" beef cattle that specify restrictions on feed and use of antibiotics and hormones. The Montana Department of Agriculture recently implemented a Montana Certified Natural Beef Program pursuant to state legislation enacted in 2007. That program certifies cattle as either "natural beef cattle," with restrictions concerning use of antibiotics, hormones, and other drugs and chemicals, or "natural grass-fed beef cattle," with the foregoing restrictions, and also requiring that cattle be raised and finished on grass.

**Summary of Bill (Recommended Substitute):** The Washington State Department of Agriculture (WSDA) must administer a program to certify and market beef cattle from

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Washington as either Washington-certified natural beef cattle or Washington-certified natural grass-fed beef cattle.

To qualify as Washington-certified natural beef cattle, cattle must be born and raised in Washington and raised and finished in compliance with a USDA marketing standard for naturally raised livestock and meat products. To qualify as Washington-certified natural grass-fed beef cattle, cattle must meet these requirements and must also be raised and finished in compliance with a USDA marketing standard for grass-fed livestock and meat products.

WSDA must include promotion of beef from Washington-certified natural beef cattle and Washington-certified natural grass-fed beef cattle in its agricultural product marketing programs.

WSDA must adopt rules that:

- specify certification standards, including recordkeeping and verification protocols that require maintaining cattle birth and health records, and at least one inspection of the farm or ranch of origin; and
- establish necessary fees to recover costs of providing certification and inspection or other services.

To be labeled, sold, or represented as beef from either Washington-certified natural beef cattle or Washington-certified natural grass-fed beef cattle, the beef must have been harvested from cattle certified under standards established under the act.

All monies collected under the act must be paid to WSDA, deposited in an account within the agricultural local fund, and used solely for carrying out the purposes of the act and rules adopted under the act.

WSDA may enter at reasonable times as determined and inspect any facility and any records required under the act. WSDA may take for inspection representative samples necessary to determine whether the act or rules adopted under the act have been violated.

WSDA may bring an action to enjoin any violation of this act or rule adopted under the act in the superior court of Thurston County or of any county in which a violation occurs.

Any person who violates the provisions of the act or rules adopted under the act may be subject to a civil penalty of not more than \$500 per violation and denial, revocation, or suspension of any certification issued under the act. Upon notice by WSDA to deny, revoke, or suspend a certification, a person may request a hearing.

**EFFECT OF CHANGES MADE BY AGRICULTURE & RURAL ECONOMIC DEVELOPMENT COMMITTEE (Recommended Substitute):** Changes specify that: (1) "Washington-certified natural beef cattle" must comply with USDA naturally raised livestock standards; (2) "Washington-certified natural grass-fed beef cattle" must comply with those standards and also with USDA grass-fed livestock standards; (3) WSDA may establish fees to recover costs; (4) to be labeled, sold, or represented as certified beef, beef must have been harvested from certified cattle; (5) all monies collected must be deposited in an account in

the agricultural local fund, and used for carrying out the purposes of the act; (6) WSDA may inspect facilities at reasonable times and any records required under the act, and may take samples; (7) WSDA may bring an action to enjoin violations of the act; and (8) any person who violates the act may be subject to a civil penalty of up to \$500 for each violation, and denial, revocation, or suspension of any certification issued under the act, with opportunity for a hearing.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: There should be uniformity in standards across the nation for the marketing standards proposed in this bill. One method of beef production should not be promoted at the expense of another. Inspections should be fee driven, to eliminate a burden to the state.

OTHER: WSDA provides certification services, and has done so for organic food. Consistency is important; the term "natural" is in its infancy, and standards are evolving. WSDA needs statutory fee authority in the bill, and additional administrative provisions. Federal and other grass-fed standards should be carefully studied.

**Persons Testifying:** PRO: Jack Field, Washington Cattlemen's Association.

OTHER: Mary Beth Lang, WSDA; Cheryl Ouellette, Puget Sound Meat Producers Cooperative.